

Judge Burgess

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

|                           |   |                  |
|---------------------------|---|------------------|
| UNITED STATES OF AMERICA, | ) | NO. CR05-5469FDB |
| Plaintiff,                | ) |                  |
| v.                        | ) | COMPETENCY ORDER |
| KAMSATH NOY BUTH,         | ) |                  |
| Defendant.                | ) |                  |

The Court has considered the Competency Evaluation Report and Supplemental Competency Report prepared by Dr. Sheppard Salusky concerning the defendant's competency to stand trial in this case:

This Court finds by a preponderance of the evidence that the defendant was diagnosed with bipolar disorder, alcohol dependence, and substance induced persisting dementia, but that he is able to understand the nature and consequences of the proceedings against him and is able to assist in his defense, and therefore competent to stand trial;

This Court further finds that pursuant to Title 18 United States Code, Section 3161(h)(1)(A) that the time period during which the defendant was under examination to determine competency is excluded from the computation of time within which the trial must commence under the Speedy Trial Act under Title 18 United States Code, Section 3161 et seq.;

1 This Court further finds that the period of time from December 7, 2005, up to and  
2 including July 26, 2006, shall be excludable time under 18 U.S.C. § 3161(h)(1)(A).

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4 DATED this 26<sup>th</sup> day of July, 2006.

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FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE

Presented by:

s/ Kent Y. Liu  
KENT Y. LIU  
Special Assistant United States Attorney

s/ Colin Fieman (per telephonic auth.)  
COLIN FIEMAN  
Attorney for Kamsath Buth